IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 4147 OF 2004

BETWEEN

Smt. Rukhmani Yadav W/o Shri Vedprakash Yadav, aged about 36 years, occupation service, presently posted as ANM at Primary Health Center (Pusour) Padigaon, Tehsil and District Raigarh (CG).

PETITIONER

A N D

1. The State of Chhattisgarh, through the Secretary Department of Health and Family Welfare, Mantralay, D.K.S. Building, Raipur (CG).
2. The Chief Medical and Health Officer, Raigarh (CG).
3. Collector, Raigarh .
4. The Director, Health Services, Raipur (CG).

P.R. No. 4188/04 Presented by Shri Sunil Sahu dated 29-10-04

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

(18)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P No. 4147/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	26-11-2004 Shri Awadh Tripathi, counsel for the petitioner. Shri Yashwant Singh, Govt. Advocate for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Health Center, Pusor to Health Center, Chaple vide order dated 18-10-2004 (Annexure-P/1). He also submits that the petitioner is working as Class-IV employee and she has been transferred against the transfer policy. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising her grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.	

(19)

XI-HC—78

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	Learned counsel for the petitioner submits that the petitioner has not been relieved and the person who has been transferred in place of the petitioner has not joined. He prays that the petitioner may be allowed to continue. It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No.4518/2004 also stands disposed of. **Sd/-** **Acting Chief Justice**	

Gowri